

Board of County Commissioners of Lincoln County
Agenda for October 28, 2022

9:00 Call to order and Pledge of Allegiance

11:00 Andrew Lorensen, Human Services Director, to present the Department of Human Services monthly report

-To be completed as time permits-

1. Approve the minutes from the October 18, 2022, meeting
2. Review and act upon a letter regarding an off-system bridge program funding application
3. Review and act upon Resolution #1076: a request for the renewal of the ambulance service license for the Tri-County Fire Protection District
4. Review and act upon Resolution #1077: a resolution to extend the moratorium created by Resolution #1066 regarding the acceptance of applications to create subdivisions
5. Review the \$12,500 Colorado Election Security Act (CESA) grant award letter
6. Review and act upon a proposal from Multicard for election security video surveillance and access control
7. County Commissioner reports
8. County Attorney's report
9. County Administrator's report
10. Old Business
11. New Business
12. Approve Payroll

The Board of Lincoln County Commissioners met at 9:00 a.m. on October 28, 2022. Chairman Doug Stone, Commissioner Ed E. Schifferns, County Administrator Jacob Piper, County Attorney Stan Kimble, Clerk of the Board Corinne M. Lengel, commissioner-elect Wayne Ewing, and Limon Leader reporter Stephanie Zwick attended. Commissioner Steve Burgess was absent and excused.

Chairman Stone called the meeting to order and led the Pledge of Allegiance.

Mr. Schifferns moved to approve the minutes from the meeting held on October 18, 2022, as submitted. Mr. Stone seconded the motion, which carried.

The Board reviewed a letter to Eric Bergman with CCI regarding an off-system bridge program funding application for the bridge on County Road 109. Mr. Piper said they would have to request bids for the project if the state awarded the grant funds. The total project cost estimate was \$3,550,000 with a local 20% match of \$710,000. Mr. Schifferns moved to approve the letter, and Mr. Stone seconded the motion, which carried.

Mr. Schifferns moved to adopt a resolution approving the Tri-County Fire Protection District ambulance service license renewal. Mr. Stone seconded the motion, which carried. Mr. Piper commented that the state would take over ambulance permitting in 2024.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado, held in Hugo, Colorado, on October 28, 2022, there were present:

Douglas D. Stone, Chairman	Present
Ed E. Schifferns, Vice Chairman	Present
Steve Burgess, Commissioner	Absent & Excused
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

RESOLUTION #1076 It was moved by Commissioner Schifferns and seconded by Commissioner Stone to adopt the following resolution:

WHEREAS, pursuant to the Colorado Emergency Medical Services Act, Section 25-315.101, et seq., C.R.S., the Board of County Commissioners has the authority to establish requirements for the inspection, licensure, and operation of ambulance services, ambulance personnel, and ambulance vehicles operating in the county; and

WHEREAS, the Lincoln County Commissioners adopted Resolution #651 and thereby established rules and regulations governing the licensure of ambulance services operating within Lincoln County; and

WHEREAS, the Tri-County Fire Protection District has presented the Board of County Commissioners with an application to license the ambulance service and to permit their ambulance as a basic life support vehicle; and

WHEREAS, upon review the Board of County Commissioners determined that the documentation presented met the rules and regulations established under Resolution #651;

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County that the Tri-County Fire Protection District is hereby authorized to provide ambulance service in Lincoln County with a basic life support ambulance.

Upon roll call the vote was:

Commissioner Schiffers, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Clerk of the Board

Mr. Piper said Land Use Administrator Ty Stogsdill wanted to attend the discussion regarding extending the moratorium created by resolution #1066, so Mr. Piper went to get him.

Sheriff Tom Nestor, Undersheriff Gordon Nall, and Jail Captain Michael Yowell arrived at 9:15 a.m. to provide an update on department vehicles. The sheriff requested permission to contact a salvage company to pick up the two Tahoes the insurance company totaled. The \$24,000 from the insurance company, \$11,000 from the salvage yard, and the \$7,000 for the bodywork they didn't use would cover the \$42,000 appraised value of Deputy Hutton's 2020 Tahoe. The commissioners gave the sheriff permission to contact the salvage company.

Undersheriff Nall said the two new Tahoes were in Texas and should arrive in a couple of weeks. If they can't figure out how to fix Captain Yowell's lightning-damaged Tahoe, the sheriff said the insurance company would total it as well, but they should get full price for it to put toward a new one.

Captain Yowell explained the medical problems of an inmate with pre-existing conditions and said treatment would be costly; however, they would bill the inmate for the expenses. Although he wouldn't be able to pay the bills, Captain Yowell said the taxpayers shouldn't have to cover that cost either.

Sheriff Nestor addressed the security of the north courthouse door, stating he was tired of dealing with a department using it when they'd been asked not to numerous times. The options were to install an alarm that the sheriff's office would have to come over and turn off, re-key the door, or leave it alone and let them continue using it. The sheriff preferred keycard access instead of keys because they could deactivate them, but he said he'd do whatever the commissioners suggested. Mr. Schifferns said Sheriff Nestor was the head of security, so he should do what he felt necessary to secure the building. The sheriff said he'd figure out the best option and let department heads know what they were doing at next week's meeting. He and the officers left.

Since Land Use Administrator Ty Stogsdill had arrived, the group briefly discussed the moratorium regarding accepting applications to create subdivisions. The resolution extended it for two months. Mr. Schifferns moved to adopt a resolution extending the moratorium until December 28, 2022. Mr. Stone seconded the motion, which carried.

At a regular meeting of the Board of County Commissioners of Lincoln County, Colorado held in Hugo, Colorado on October 28, 2022, there were present:

Douglas D. Stone, Chairman	Present
Ed Schifferns, Vice Chairman	Present
Steve Burgess, Commissioner	Absent & Excused
Stan Kimble, County Attorney	Present
Corinne Lengel, Clerk of the Board	Present
Jacob Piper, County Administrator	Present

when the following proceedings, among others, were had and done, to-wit:

RESOLUTION #1077 It was moved by Commissioner Schifferns and seconded by Commissioner Stone to adopt the following resolution:

A RESOLUTION TO IMPOSE A TWO-MONTH EXTENSION FOR THE MORATORIUM ADOPTED VIA RESOLUTION #1066 ON THE ACCEPTANCE OF APPLICATIONS CONCERNING THE LINCOLN COUNTY SUBDIVISION REGULATIONS REGARDING THE CREATION OF A "SUBDIVISION" OR "SUBDIVIDED LAND"

WHEREAS, the Board of Commissioners of Lincoln County, hereinafter referred to as the "Board", did approve the Lincoln County Subdivision Regulations on September 5, 1972

WHEREAS, the Board drafted subdivision regulations in April of 2014; and

WHEREAS, due to concerns raised by local utility companies and Land Use Board, the rough draft was not adopted and needed further review; and

WHEREAS, the Board of Commissioners wishes to explore regulations, or amended regulations, which would protect both the applicant, landowners, and utility companies; and

WHEREAS, the Board of Commissioners adopted Resolution #1066 on June 7, 2022 to impose a three-month moratorium on the acceptance of applications concerning the Lincoln County Subdivision Regulations regarding the creation of a “Subdivision “ or “Subdivided Land”.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Lincoln County:

Section 1. Extension of the Temporary Moratorium on the acceptance and consideration of applications for permits seeking to create a subdivision or subdivided land

Upon the adoption of this resolution, an extension of the moratorium shall be enforced for two (2) months from the date of this Resolution, unless sooner rescinded or extended by the Board. The moratorium shall be imposed upon applications to create subdivisions or subdivided land under the regulations stated in the current Lincoln County Subdivision Regulations adopted in 1972.

Section 2. Effective dates of the moratorium. The extension on the moratorium imposed herein shall continue up to and through two (2) months, unless sooner rescinded or unless extended.

Section 3. Staff to Investigate and Prepare Proposed Regulations. Before the expiration of the moratorium, the County staff and relevant Board committees shall carefully review the possibility of creating reasonable regulations concerning the creation of subdivision or subdividing land, while also considering the impact such regulations may have on utility companies, the applicant, and surrounding landowners. Such investigations shall be completed promptly and with due diligence. If directed to do so by the Board, the County Attorney and County Staff shall prepare appropriate new regulations with respect to such uses for consideration by the County Land Board and / or the Board of Commissioners.

Section 4. Subdivision Exemptions. This moratorium excludes all subdivision exemptions or subdivision exemption applications that are pending or proposed

Section 5. Police Power Finding. The Board of Commissioners hereby finds, determines, and declares that an emergency exists, and that this resolution is immediately necessary and proper to provide for the safety, preserve the health, promote the prosperity, and improve the order, comfort, and convenience of the inhabitants of unincorporated Lincoln County.

Section 6. Authority. The Board of Commissioners hereby finds, determines, and declares that it has the power to adopt this Resolution and extend the temporary moratorium

pursuant to: (1) the Local Government Land Use Control Enabling Act, §29-20-101 C.R.S., et seq, and other relevant statutes.

Section 7. Severability. If any section, subsection, or clause of this Resolution shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected thereby.

Upon roll call the vote was:

Commissioner Schifferns, Yes; Commissioner Stone, Yes.

The Chairman declared the motion carried and so ordered.

Board of County Commissioners
of Lincoln County

ATTEST:

Clerk of the Board

Mr. Stone asked what would happen to the county's lease on the Pickenpaugh gravel pit if the landowner sold the property, which he'd heard might happen. Mr. Kimble said if it were owned by a trust, they should review the documents. The county's contract should be binding if it had the right language in it, and Mr. Kimble said they could record it if necessary to ensure the buyer knew it existed.

Mr. Stogsdill said he had three open building permits from 2021. He'd done twelve permits since taking over the position in May.

Mr. Stone asked when he planned to take his test, and Mr. Stogsdill said he'd started studying since the gravel pits were caught up. He'd taken the test for HUD and manufactured homes but had to retake it.

Mr. Stogsdill left, and the Board reviewed the \$12,500 Colorado Election Security Act (CESA) grant award letter. Mrs. Lengel said it was the portion allotted from the million dollars allocated by SB22-153. The state earmarked \$24,500 for each of the eleven largest counties, \$18,000 for the mid-sized counties, and \$12,500 for the remaining counties based on State Demographer population statistics.

The Board reviewed a \$79,786.33 proposal from Multicard for election security video surveillance and access control to comply with the new law, effective next June. Since it would take six-to-eight weeks for the supplies to come in, Mrs. Lengel asked for approval so the

company could place the order. That way, she could pay the invoice in 2022 with a portion of the \$210,000 she budgeted for the election room. The most expensive item will be a 64 TB MVR server that will allow the camera system to store 786 days of recording. One of the senate bill's requirements is for clerks to store election video surveillance for twenty-five months as statute requires for other election records.

Mr. Ewing asked if there were another company that offered the same services. Multicard is the company the sheriff used for the surveillance and keycard access for the rest of the courthouse, so Mrs. Lengel said she didn't even check with other companies. Using Multicard would allow the sheriff access to the system and provide uniformity in the courthouse security. The clerk's current video surveillance system is a standalone system, and the staff has to manually download the videos each day.

Mrs. Lengel reminded the group she'd applied for the maximum amount of the Election Security Grant in 2021, and the state awarded the full \$20,000. With it and the \$12,500, they'd have \$32,500 toward the Multicard proposal. A stipulation of both grants was that the county had to pay the costs upfront before the state would provide reimbursement.

Mr. Schifferns moved to approve the \$79,786.33 proposal from Multicard for election security video surveillance and access control. Mr. Stone seconded the motion, which carried.

Mr. Schifferns forgot his appointment book but said their new road grader was in Texas and should be delivered soon.

Mr. Stone reported checking roads around Karval on October 21. A pole barn caught fire on October 24, and the fire department asked for help, so District 3 provided a dozer to help knock down some of the poles. Mr. Stone spoke with Judd Kravig about the employee personnel policy on October 25, and he went to the county shop on the Twenty-sixth. They discussed trading their oldest tractor for one of the Internationals they leased this year. They have two bridges needing replaced and will tear them out and put in tubes. To avoid the wetlands and ensure they don't contaminate state conservatory land with noxious weeds, Mr. Stone said they planned to use Nathan Seymour's trackhoe. Mr. Stone checked roads that afternoon and said the wind blew so hard, the tumbleweeds completely blocked one, and the mail carrier couldn't get through. Earlier this morning, Mr. Stone spoke with Mr. Kravig about the Pickenpaugh gravel pit.

Mr. Kimble reported that he was still waiting to hear from Weld County about their road policy. He'd spoken with court clerk Kim Graham about the nuisance complaint on the property north of Genoa, and she told him the county court would take the case. They hadn't ever done one before, so Mr. Kimble said he would handle the paperwork. He felt it would be better to have it in county court.

Mr. Piper reported that Emergency Manager Ken Stroud dropped off a document titled Secure Transportation Program Implementation for Counties. Mr. Stroud told him HB21-1085,

effective January 1, 2023, requires counties to have a secure transportation licensing program for entities that provide those services for individuals experiencing a behavioral health crisis. Mr. Piper asked Mr. Kimble to see what he could find on the matter through his attorney Listserv.

Regarding the bridge grant, Mr. Piper asked if he needed to increase the \$500,000 in the budget for bridge construction to cover the \$710,000 match or if internal costs for the detour construction would cover the \$210,000. Mr. Stone said it should but he could add it in just in case.

Mr. Stone said they'd been working with their new employees in house until they could attend the CDL class. Mr. Piper hadn't heard anything further on it.

At 11:00 a.m., Human Services Director Andrew Lorensen met with the Board to give his monthly report. The Board reviewed the financials, employee timesheets, Income Maintenance, Child Welfare & Adult Protection, and director's reports.

Mr. Lorensen asked to promote case-aid Samantha Winterberg to a caseworker. She will have her degree in February, making her a certified caseworker. Since they are losing their resource provider at the end of the year, they could utilize Miss Winterberg in many ways. Mr. Lorensen said they would continue to use Echelon as a resource for out-of-county visitation, but it would be more economical if they had someone in-house. The salary would increase \$397 per month, but only \$80 of it would be county dollars. The remainder comes from the Child Welfare and Core Allocation. Mr. Lorensen could apply for a waiver and send her to the academy now, but the salary wouldn't be effective until January. He would not fill the case-aid position.

Mr. Schifferns moved to approve a promotion from case-aid to caseworker for Samantha Winterberg. Mr. Stone seconded the motion, which carried.

Mr. Lorensen left, and the Board approved the October 2022 payroll. With no further business to come before the Board, Mr. Stone adjourned the meeting at 11:50 a.m. The next meeting will be at 9:00 a.m. on November 7, 2022.

Corinne M. Lengel, Clerk of the Board

Doug Stone, Chairman